

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Criminal Action No. 07-173-UNA
)
WILLIAM VANOVER,)
)
Defendant.)

GOVERNMENT'S SECOND MOTION TO EXCLUDE TIME

NOW COMES the United States of America, by and through its attorneys, Colm F. Connolly, United States Attorney for the District of Delaware, and Shawn A. Weede, Assistant United States Attorney for the District of Delaware, and hereby submits the following:

1. The defendant was arrested on September 21, 2007.
2. The defendant is currently on pre-trial release.
3. Counsel for the defendant, Gordon L. McLaughlin, Esquire, has advised the government that his client wishes to waive Indictment, proceed by felony Information, and enter into the government's proposed Memorandum of Plea Agreement.
4. On December 20, 2007, the government filed a felony Information, charging the defendant with one count of violating 18 U.S.C. § 922(g)(1).
5. A District Court Judge has not yet been assigned to this matter. As soon as one is assigned, the government intends to request that a Change of Plea Hearing be scheduled.
6. In light of the above, the government requests that the Court exclude the time from the date

of this motion until January 31, 2008, under the Speedy Trial Act (18 U.S.C. § 3161 *et seq.*). The government submits that the time is excludable because the ends of justice served by the delay outweigh the best interest of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h).

WHEREFORE, the government respectfully requests that the Court grant its Second Motion to Exclude Time. A proposed Order is attached.

Respectfully submitted,

COLM F. CONNOLLY
United States Attorney

By: /s/ Shawn A. Weede
Shawn A. Weede
Assistant United States Attorney

Dated: December 28, 2007

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Criminal Action No. 07-173-UNA
)
WILLIAM VANOVER,)
)
Defendant.)

ORDER

Having considered the Government's Second Motion to Exclude Time, **IT IS HEREBY ORDERED** that the period from December 28, 2007, through January 31, 2008, is excluded under the Speedy Trial Act, because the ends of justice served by the delay outweigh the best interest of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h).

The Honorable Leonard P. Stark
United States Magistrate Judge

Dated:

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CERTIFICATE OF SERVICE

I, Shawn A. Weede, Assistant United States Attorney for the District of Delaware, hereby attest under penalty of perjury that on the 28th day of December, 2007, I had a copy of the Government's Second Motion to Exclude Time sent to the following by mail:

Gordon McLaughlin, Esq.
1203 N. Orange Street
Wilmington, Delaware 19801

/s/ Shawn A. Weede
Shawn A. Weede
Assistant United States Attorney